

Dave Heineman
Governor

STATE OF NEBRASKA

OFFICE OF THE CHIEF INFORMATION OFFICER
Brenda L. Decker
Chief Information Officer

August 31, 2009

P.O. Box 95045
Lincoln, Nebraska 68509-5045
402-471-3560
402-471-2761
402-471-2065

Dear Administrator:

As a requirement of LB 1208 (2006), the Office of the Chief Information Officer is tasked with providing telecommunications access to all public K-12 and higher education entities in Nebraska by July 1, 2012, and may also provide service to nonpublic educational entities. The first step in that process for K-12 entities, and also required for E-rate eligibility, is submission of a signed, certified *Letter of Agency* (enclosed). The *Letter of Agency* (LoA) authorizes the Chief Information Officer to seek services on behalf of each school district or ESU beginning on July 1, 2010; and provides permission to use each participating district's Free/Reduced Lunch data as part of an aggregated E-rate application for the state's Interregional Transport (backbone).

The *Letter of Agency* does not obligate a district or ESU to participate in Network Nebraska. Submitting a *Letter of Agency* allows the school district, should it decide to join Network Nebraska, to pay the reduced, post-E-rate cost rather than the full cost of the interregional transport fee. This LoA supersedes the 2009, 2010, 2011 LoA.

Participation in Network Nebraska provides:

- Eligibility for LB 1208 equipment reimbursement (\$20,000/high school or ESU);
- Eligibility for LB 1208 distance education incentives (up to \$1,000 for each semester distance education course sent and received);
- Statewide transport for exchange of distance education courses, videoconferencing, and other data;
- Access to Renovo software for videoconferencing and distance learning scheduling;
- Access to the State Contract for Internet Access (currently at \$15/megabit/month for 2009-10 and ~\$6/megabit/month for 2010-11) with purchase either by ESU, consortium or by individual school;
- Prioritized end-to-end Quality of Service routing for real-time data exchange (voice, video);
- A robust Intranet for in-state data exchange;
- Access to Internet2, the worldwide academic and research network for education.

Participation in Network Nebraska requires:

- 30Mbps or greater bandwidth Wide Area Network access from each participant's premise to a Network Nebraska aggregation point (Grand Island, Lincoln, or Omaha), either bid by the State of Nebraska or by each local entity;
- Assumption of the monthly Network Nebraska Participation Fee (2009-10 rate is \$192.47/month/entity); and monthly post-E-rate share of the Interregional Transport Fee (2009-10 rate is \$34.48/month/entity);
- Compliance with all NITC state technology standards <http://nitc.nebraska.gov/standards/>.

Instructions for return of the *Letter of Agency* are on the form. **The deadline for return of the *Letter of Agency* is September 25, 2009.** More information about Network Nebraska and the upgrade process is available at www.networknebraska.net or by e-mailing brenda.decker@nebraska.gov or calling 402-471-3717. More E-rate information is available from SuAnn Witt, NDE, 402-471-2085 or suann.witt@nebraska.gov.

Sincerely,

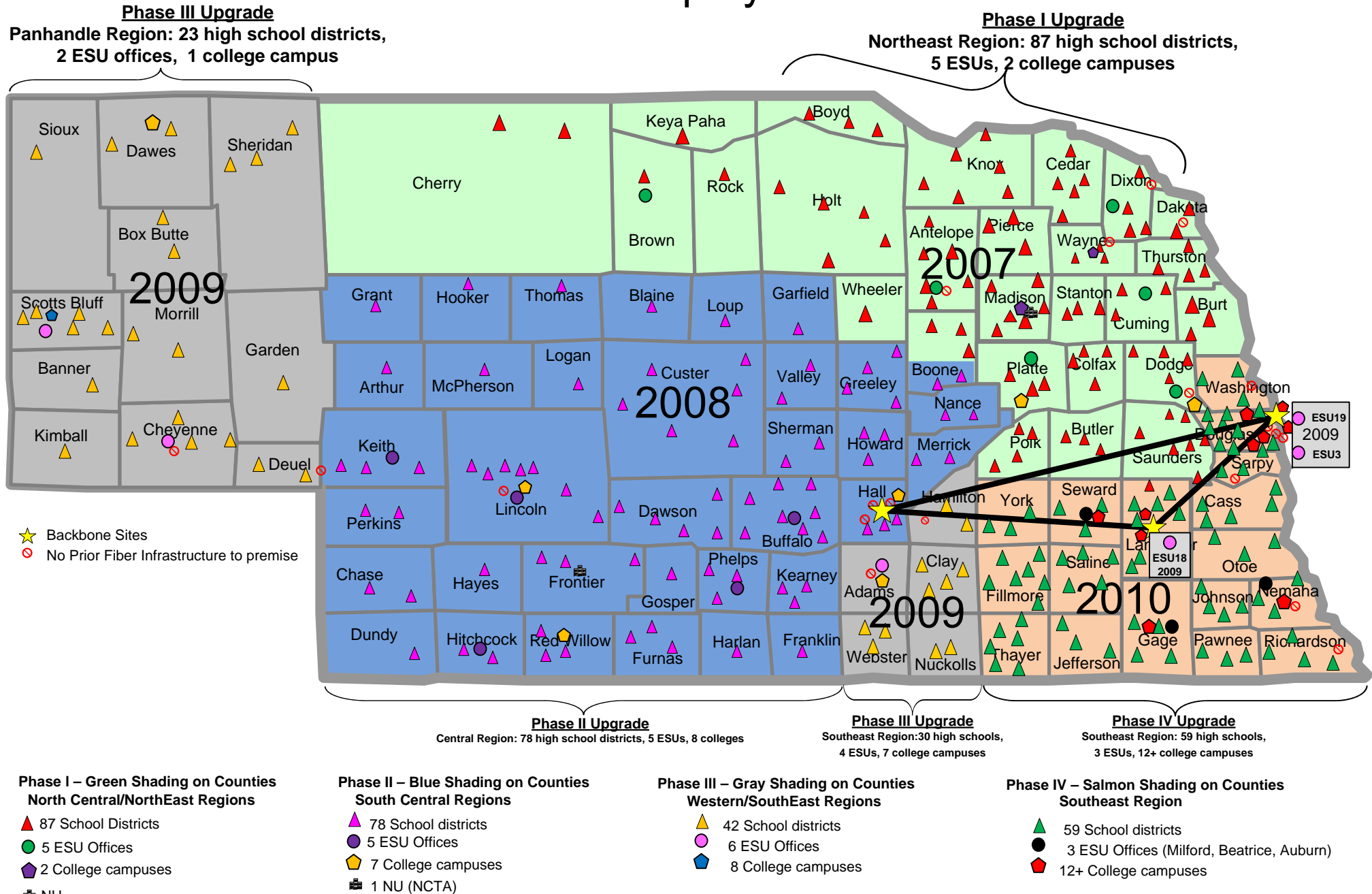
Brenda L. Decker
Chief Information Officer

Enclosures

- Network Nebraska Map—Phases I, II, III, IV
- Comparison of Costs and Benefits for ESUs 10 and 11 Schools
- *Letter of Agency*
- Network Nebraska Brochure

CC: Technology/E-rate Coordinator

LB1208 Map by Year



Revised: 01/08/09 LLR

S:\networking\State Network\LB1208\LB1208 Map by Year 010809

**Comparison of Costs and Benefits for Tri-Valley South (26 Schools, 2 ESUs)
2007-08 (Before Network Nebraska) vs. 2008-09 (After Network Nebraska)**

	Before Network Nebraska 2007-08	After Network Nebraska 2008-09	Net Regional Impact
COSTS			
Wide Area Networking	Dark Fiber Solutions, 100Mbps \$1570/month/circuit	Dark Fiber Solutions , 100Mbps \$1570/month/circuit	No Change
Project 42 Backbone Connections	1 - 100Mbps and 1 - 40Mbps Interconnection link for \$4624/month	1 - 200Mbps Interconnection link into Grand Island College Park for \$ 2500/month	Net Savings of \$25,483/year
Network Nebraska Participation Fee	\$0	\$197.80/month/entity (based on 2008-09 costs)	New Costs of \$66,461/year
Interregional Transport Fee	\$0	\$34.21/month/entity (based on 2008-09 costs)	New Costs of \$11,495/year
ESU 10, 11, 15, 16 Shared Internet Access	40Mbps x \$150/Mbps = \$6,000/month	100Mbps x \$38/Mbps = \$3,800/month	Increased Internet by 2.5X, Net savings of \$26,400/year
BENEFITS			
LB 1208 Equipment Dollars	None	\$20,000 per high school & ESU	Benefit of \$560,000
LB 1208 Distance Education Incentives	None	\$1,000 for every semester video course sent or received	Benefit of \$346,000 earned through courses exchanged
Statewide posting of classes	None	Free access to Renovo clearinghouse and scheduling software	Amount of distance learning course exchange increased, with more financial and curriculum benefits to area schools
Access to Internet2 nationwide networking	None	Included with Network Nebraska Participation Fee and purchase off of the State Contract for Internet access	Internet1 bandwidth conserved due to Internet2 Peering with 60,000 frequently visited companies and websites
COST/BENEFIT ANALYSIS			Savings/Benefits = \$957,883 New Costs = \$ 77,956 Net Regional Benefit = \$879,927

Office of the CIO/NITC, 8/11/2009

Evaluator's note: The Tri-Valley South Distance Learning Consortium was selected for this comparison because it most closely resembled the Southeast Nebraska Distance Learning Consortium: Same network provider, comparable WAN speeds of 100Mbps, and similar number of schools. The Tri-Valley South Consortium earned almost 4.5 times more in LB1208 distance education incentives than it cost to belong to Network Nebraska in 2008-09. (\$346,000 vs. \$77,956)

Office of the Chief Information Officer E-Rate Letter of Agency

Pursuant to Neb. Rev. Stat. § 86-520, (*ESU/Consortium/District/School/Library Name*)_____, hereafter referred to as “Participant”, through its authorized signatory as listed below, authorizes the Office of the Chief Information Officer (“CIO”), State of Nebraska, to act for the limited purpose of serving as a coordinator on its behalf in matters related specifically to any State and Federal discount programs for the purpose of securing E-rate discounts.

The Participant authorizes the CIO to engage on its behalf in the procurement process pursuant to Neb. Rev. Stat. § 79-1233, in the submission of FCC Form 470, FCC Form 471, and other E-rate forms, and in the overall administration of these programs solely for the purpose of facilitating application for those discounts on E-rate eligible services, which shall include, but not be limited to, Telecommunications Services, Internet Access, Internal Connections, and Internal Connections Basic Maintenance and all current and future e-rate eligible services for the life of this agreement.

I, the authorized signatory, understand that the CIO will be making certifications on behalf of the Participant. By signing this letter of agency, I make the following certifications on behalf of Participant:

- (a) I certify that the schools or educational service cooperatives in the Participant’s district are all schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.
- (b) I certify that the libraries or library consortia in the Participant’s system are eligible for assistance from a State Library Administrative Agency under the Library Services and Technology Act of 1996, Pub. L. No. 104-208, § 211 et seq., 110 Stat. 3009 (1996), do not operate as for-profit businesses, and have budgets that are completely separate from any school (including, but not limited to, elementary schools, secondary schools, colleges, or universities).
- (c) I certify that the schools, educational service cooperatives, libraries, or library consortia in the Participant’s district have secured access to all of the resources, including computers, training, software, maintenance, and electrical capacity, necessary to make effective use of the services purchased as well as to pay the non-discounted charges for eligible services.
- (d) I certify that the schools, educational service cooperatives, libraries, or library consortia in the Participant’s district are all covered, or will be covered at the time funded services are provided, by a written technology plan(s) that has been approved by a state or other authorized body or a Schools and Libraries Division (SLD)-certified technology plan approver.
- (e) I certify that the schools, educational service cooperatives, libraries, or library consortia in the Participant’s district are compliant, or will be compliant at the time funded services are provided, with the Children’s Internet Protection Act, Pub. L. 106-554 (2000).
- (f) I certify that the services the school, educational service cooperative, library, library consortia or district purchases using E-rate discounts provided by 47 U.S.C. § 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, as specified in 47 C.F.R. § 54.513.
- (g) I certify that the entities eligible for support that I am representing will retain copies of all documents related to E-Rate applications and funding use for a period of five years from the last date of service covered by this letter of agency. Documents to be retained include, but are not limited to: E-rate forms, technology plans, discount rate support, competitive bids received, bid selection results, inventory records, invoices, and payments.
- (h) I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
- (i) I certify that the Participant’s district, educational service cooperative, library, or library consortia has complied with all E-rate program rules, and I acknowledge that failure to do so may result in denial of discount funding and cancellation of funding commitments.
- (j) I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service receive an appropriate share of the benefits from those services.
- (k) I certify that no kickbacks were paid to anyone and understand that false statements on this form may be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), may subject me to a fine and imprisonment pursuant to 18 U.S.C. 1001, and may subject me to the civil remedies available under the False Claims Act, 31 U.S.C. §§ 3729 et seq.

E-Rate Letter of Agency
Program Years 2010, 2011, 2012

(I) I certify that I am authorized to sign this Letter of Agency on behalf of the Participant, that I have examined this letter, and that, to the best of my knowledge, information, and belief, all information provided to the CIO for E-rate submission or contained in this Letter is true and correct.

This certification for the E-Rate Program is effective for:

- Program Year 2010 (July 1, 2010 – June 30, 2011);
- Program Year 2011 (July 1, 2011 – June 30, 2012); and
- Program Year 2012 (July 1, 2012 – June 30, 2013).

This certification in no way limits the abilities of entities of the Participant to file for a discount or refund pursuant to the E-rate program, or any other grants and programs on their own, nor does it abrogate any other rights and responsibilities of the Participant with the E-Rate Program.

This Letter of Agency does not create any relationship between the parties outside of the purposes outlined herein. Participant shall hold the CIO harmless from any and all liability incurred by the actions of Participant related to this Letter of Agency.

CIO or Participant shall have the right to terminate this Letter of Agency upon giving the other one hundred eighty (180) days notice of such request for termination in writing. If both parties wish to terminate this Letter of Agency by mutual written agreement, it may be terminated with thirty (30) days notice or an alternate time interval acceptable to both parties.

CIO and Participant agree that changes or revisions to this Letter of Agency will not be made without written agreement of the parties.

Participant may not assign its interest under this Letter of Agreement to another entity. This Letter of Agreement operates independent of any other agreement between CIO and Participant.

Billed Entity Name: _____

***Authorized Signature:** _____

Printed Name: _____

Title: _____

Date: _____

****Entity Number:** _____

**Signature shall be that of Superintendent or designee; or Educational Service Unit Administrator or designee; or education consortium director or designee; or Librarian or designee.*

***Entity number is the number assigned to each district by the Schools & Libraries Division. One may determine a district's entity number at: www.sl.universalservice.org/Utilities/BilledEntitySearch_Public.asp.*

Deadline: Friday, September 25, 2009

1. Please fax a copy ASAP to Karen Sarnecki at 402-471-4864 OR e-mail a pdf copy to karen.sarnecki@nebraska.gov .

2. Please mail or fax a copy to your local ESU E-rate Coordinator and keep a copy for yourself.

**3. Please also mail the original to: Office of the CIO
P.O. Box 95045
Lincoln, NE 68509-5045
ATTN: Karen Sarnecki**

Network Nebraska

www.networknebraska.net

Vision

Government, educational institutions, and the private sector working together to insure that Nebraska has an efficient, affordable, reliable and scalable telecommunications infrastructure, widespread communications networks and sufficient network support functions.

Benefits

Through aggregation of demand, adoption of common standards, and collaboration with network services and applications, participants are achieving many benefits, including:

- ✓ Reduced network costs
- ✓ Greater efficiency for participating entities
- ✓ Interoperability of video conferencing systems
- ✓ Increased K-20 educational collaboration
- ✓ New educational opportunities
- ✓ Competitiveness with surrounding states
- ✓ Improving the effectiveness of public investments

**For more information, contact the
Network Nebraska Information Desk
at 1-888-NET-NEBR or via email at
info@networknebraska.net**



A Value Proposition for Nebraska K-12 Districts



www.networknebraska.net

Network Nebraska is the term used to describe the statewide multipurpose telecommunications backbone and all of its associated applications, such as Internet2, traffic shaping, network monitoring and management, and an automated notification system. Network Nebraska is operated by a collaborative partnership of the State Office of the Chief Information Officer, University of Nebraska system, the State of Nebraska Educational Service Units, and Nebraska Educational Telecommunications. Supporting agencies include the Public Service Commission, Department of Education, and the Nebraska Information Technology Commission (NITC).

Network Nebraska - Education currently reaches 232 educational entities with extremely high bandwidth fiber and offers additional services, including statewide Intranet, Internet1, and Internet2 routing. Among its many benefits, Network Nebraska offers the most affordable Internet access in the state. It offers statewide Intranet routing between school districts and NDE and is the only pathway to Internet2 in Nebraska. Network Nebraska offers a statewide clearinghouse for distance learning course sharing and provides opportunity to develop statewide applications. Network Nebraska interconnects Wide Area Networking speeds of 40Mbps to 1000Mbps service from participating school districts and colleges infinitely. Network Nebraska also has a scalable backbone that is procured at the next highest increment to its demand and is reviewed and expanded as needed on a yearly basis. Currently it is 600Mbps from Grand Island to Omaha, 600 Mbps from Omaha to Lincoln and 200 Mbps from Lincoln to Grand Island.

Because of the intelligent routing design, when the need arises, Network Nebraska is prepared to “tag” and prioritize video/audio traffic so that it can travel unimpeded through the various routing devices. This allows the amorphous data stream to be routed using the fastest and most reliable pathway through any one of three aggregation points and on to the Internet2 Gigapop in Kansas City, if applicable.

A reimbursable equipment benefit of \$20,000 for each high school and ESU providing distance learning courses is coupled with low participation fees, which are currently set at \$192.47 per month plus the Interregional Transport fees of \$34.48/month for K-12 or \$92.72/month for non-K-12, bringing the total fees for K-12 entities to \$2,723.40 per year. Network Nebraska also qualifies the participating entity for distance education incentives of \$1,000 per semester high school video course sent or received, \$1,000 per high school online course sent, and \$10/instructional hour for K-8 video courses sent or received. With only three high school courses sent or received per year, any school district providing distance learning courses would actually more than offset their participation fees. In addition, the Nebraska Department of Education has qualified the Network Nebraska Participation Fee as an eligible expense for the state aid Technology Allowance of 85%, bringing the net cost per year per state aid school districts providing distance learning courses to \$408.51.

Additionally, as the network grows and services are added, this federated cost sharing model will continue to keep fees affordable, even when expenses increase. Further, because each individual entity pays its own way to a Network Nebraska aggregation point and then shares costs from there, no fees are used to subsidize any one type of entity. A network advisory group, comprised of representatives from K-12 and higher education, has been established to provide guidance on services and costs.

For more information about Network Nebraska, please contact one of the following:

Brenda Decker, Chief Information Officer - (402) 471-3717 brenda.decker@nebraska.gov

Tom Rolfes, Nebraska Information Technology Commission - (402) 471-7969 tom.rolfes@nebraska.gov

Gordon Roethemeyer, Distance Education Council Executive Director - (308) 237-5927 groethem@esu10.org

Services Existing as of July 1, 2009

- ✓ Intranet ethernet connectivity to all Network Nebraska participants
- ✓ Internet1 access
- ✓ Internet2 access
- ✓ Interregional (high bandwidth backbone) Transport between Grand Island, Lincoln and Omaha
- ✓ Dynamic, real-time routing at the core network locations to deliver the fastest and most efficient Intranet, Internet 1 and Internet 2 pathways
- ✓ E-rate filing on the K-12 eligible portion of the Interregional Transport
- ✓ Limited co-location rack space at Grand Island, Lincoln and Omaha on a space available basis
- ✓ 24/7 network monitoring and call center
- ✓ Network abuse and nefarious activity monitoring
- ✓ Level 1 network troubleshooting and support on Network Nebraska - Education backbone, core network devices and State Master Contract internet access
- ✓ Level 2 network troubleshooting and support on wide area networking and other participant routing and DNS issues
- ✓ Level 2 video/scheduling troubleshooting and support
- ✓ Bandwidth measuring and assistance
- ✓ RFP and State Master Contract negotiations
- ✓ Establishing the yearly eligibility list for LB 1208 Distance Education Incentive Dollars and Equipment Reimbursements
- ✓ Packet shaping of Network Nebraska internet bandwidth
- ✓ Internet2 Commodity Peering/Routing to over 60,000 companies, which saves Internet1 bandwidth and costs